

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Zadno-Azizi et al.
Serial No.: 10/081,569
Filed: February 21, 2002
For: BODY FLUID FLOW
CONTROL DEVICE
Art Unit: 3738

I hereby certify that this paper and the attached
papers are being deposited with the United States
Postal Service as first class mail in an envelope
addressed to:
Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202, on this date.

Date

Jennifer Sammartin

POWER OF ATTORNEY BY APPLICANT

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

Sir:

Revoking any and all powers of attorney and authorizations of agent
heretofore made in respect to this application, the undersigned applicant in this
application hereby appoints the following as attorneys, with full power of
substitution and revocation, to prosecute this application and to transact all
business in the Patent and Trademark Office connected therewith:

STEPHANIE L. SEIDMAN, Registration No. 33,779; DALE L. RIEGER,
Registration No. 43,045; DAVID A. HALL, Registration No. 32,233; FRED C.
HERNANDEZ, Registration No. 41,832; and JOHN ISAACSON, Registration No.
33,715.

Address all correspondence to:

Stephanie L. Seidman
Heller Ehrman White & McAuliffe LLP
4350 La Jolla Village Drive, 7th Floor
San Diego, California 92122-1246
Telephone No. (858) 450-8400
Facsimile: (858) 587-5360
E-mail: sseidman@hewm.com

RECEIVED

FEB 25 2003

TECHNOLOGY CENTER R3700

Date: 2/13/03

By:

ANTONY J. FIELDS

- 1 of 1 -

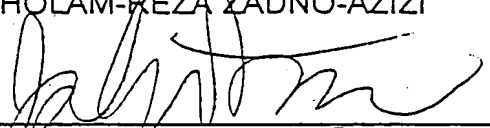
ASSIGNMENT

WHEREAS, WE, GHOLAM-REZA ZADNO-AZIZI, a citizen of France, and JOHN S. FORD and APRIL MARANO-FORD, citizens of the United States, residing at 8213 Del Monte Avenue, Newark, California 94560; 319 30th Street, Manhattan Beach, California 90266 and 319 30th Street, Manhattan Beach, California 90266, respectively, have invented a new and useful BODY FLUID FLOW CONTROL DEVICE for which application papers for United States Letters Patent were filed on September 16, 1997, being awarded Serial No. 08/931,552; and

WHEREAS, THE FOUNDRY, LLC, a Limited Liability Company of Delaware, having a place of business at 604 D Fifth Avenue, Redwood City, California 94063, is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and all countries foreign thereto:

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, we, GHOLAM-REZA ZADNO-AZIZI, JOHN S. FORD and APRIL MARANO-FORD, effective April 11, 2000, do hereby sell, assign, transfer, and set over unto the said THE FOUNDRY, LLC, its successors and assigns, the full and exclusive right, title, and interest in and to the said invention, and in and to any and all Letters Patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said THE FOUNDRY, LLC, its successors and assigns, in accordance with this Assignment.



GHOLAM-REZA ZADNO-AZIZI

JOHN S. FORD

APRIL MARANO-FORD

224/053

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

On May 25, 2000 before me, Terri L. Teague, personally
appeared APRIL MARANO-FORD,

 personally known to me

- OR -

 X proved to me on the basis of satisfactory evidence to be the person whose
name is subscribed to the within instrument and acknowledged to me that he executed
the same in his authorized capacity, and that by his signature on the instrument the
person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature

Terri L. Teague



224/053

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

On May 25, 2000 before me, Terri L. Teague, personally
appeared JOHN S. FORD,

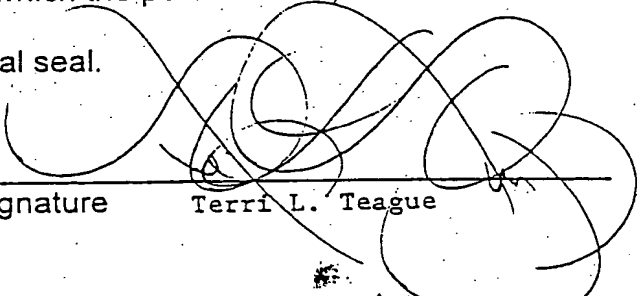
 personally known to me

- OR -

 x proved to me on the basis of satisfactory evidence to be the person whose
name is subscribed to the within instrument and acknowledged to me that he executed
the same in his authorized capacity, and that by his signature on the instrument the
person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature


Terri L. Teague



224/053

STATE OF CALIFORNIA)
) ss
COUNTY OF Alameda)

On 6/3/00 before me, Hiten Patel (Notary Public), personally
appeared GHOLAM-REZA ZADNO-AZIZI,

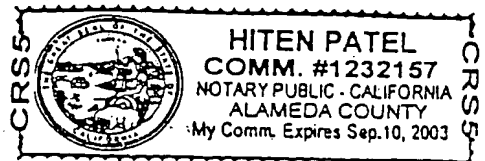
___ personally known to me

- OR -

X proved to me on the basis of satisfactory evidence to be the person whose
name is subscribed to the within instrument and acknowledged to me that he executed
the same in his authorized capacity, and that by his signature on the instrument the
person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Hiten Patel Hiten Patel
Signature of Notary



ASSIGNMENT OF PATENT

WHEREAS, THE FOUNDRY, LLC, of 604-D Fifth Avenue, Redwood City, CA, 94063, hereinafter referred to as "ASSIGNOR," is the owner of all rights in certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of the Invention: BODY FLUID FLOW CONTROL DEVICE

Filing Date: September 16, 1999

Application No.: 09/397,218

WHEREAS, EMPHASYS MEDICAL, INC., a Delaware corporation, located at 2686 Middlefield Road, Suite A, Redwood City, California 94063, hereinafter referred to as "Assignee," is desirous of acquiring an interest in the invention and Letters Patent:

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

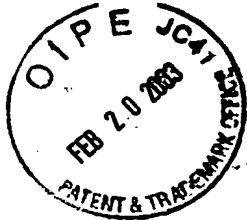
IN TESTIMONY WHEREOF, this Assignment is executed this 1st day of MAY, 2001.

By: 

Hanson S. Clifford, III

The Foundry, LLC

Title: President & CTO



3738

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Zadno-Azizi et al.**
Serial No.: 10/081,569
Filing Date: February 21, 2002
For: **BODY FLUID FLOW CONTROL
DEVICE**

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner of Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202, on this date.

02/14/2003
Date


Jennifer Sammartin

TRANSMITTAL LETTER

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, VA 22202

RECEIVED

FEB 25 2003

TECHNOLOGY CENTER R3700

Sir:

Enclosed are a *Power of Attorney by Applicant* and a copy of the *Assignment*, in connection with the above-captioned patent application. Please update your records to reflect the change of attorneys for the above-captioned patent application.

If anything further is required, please do not hesitate to contact the undersigned attorney for the assignee.

- ☒ The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP.

By:


Fred C. Hernandez
Registration No. 41,832

Attorney Docket 38349-0102D
Address all correspondence to:
Stephanie L. Seidman
HELLER EHRMAN WHITE & McAULIFFE LLP.
4350 La Jolla Village Drive, 7th Floor
San Diego, California 92122-1246
Telephone: (858) 450-8400
Facsimile: (858) 587-5360
E-mail: sseidman@HEWM.com